

ESTTA Tracking number: **ESTTA450249**

Filing date: **01/09/2012**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

## Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

### Opposer Information

Name	Victorinox Swiss Army, Inc.
Granted to Date of previous extension	01/08/2012
Address	7 Victoria Drive Monroe, CT 06468-1212 UNITED STATES
Attorney information	David Weild III Edwards Wildman Palmer, LLP FDR Station P.O. Box 130 New York, NY 10150 UNITED STATES trademark@edwardswildman.com, dweild@edwardswildman.com, stenney@edwardswildman.com

### Applicant Information

Application No	85062908	Publication date	07/12/2011
Opposition Filing Date	01/09/2012	Opposition Period Ends	01/08/2012
Applicant	Haim Moussa Kamhine Saad Col. Ampliacion san esteban San Andres atoto 220 Naucalpan de Juarez, MEXICO		

### Goods/Services Affected by Opposition

Class 008. All goods and services in the class are opposed, namely: Cutlery; Flatware; Knife bags; Knife sheaths; Knife sheaths of leather; Pen knives of Swiss origin; Tableware
Class 014. All goods and services in the class are opposed, namely: Watches and clocks of Swiss origin
Class 018. All goods and services in the class are opposed, namely: Attache cases made of imitation leather; Attache cases made of leather; Baby carrying bags; Backpacks, book bags, sports bags, bum bags, wallets and handbags; Barrel bags; Beach bags; Belt bags; Briefcase-type leather business folders; Carry-all bags; Carry-on bags; Cases of imitation leather; Cosmetic bags sold empty; Diaper bags; Duffel bags; Flight bags; Garment bags for travel; General purpose sport trolley bags; Gym bags; Imitation leather; Key cases of leather or imitation leather; Leather and imitation leather bags; Leather bags and wallets; Leather briefcases; Leather credit card cases; Leather credit card holder; Leather credit card wallets; Leather handbags; Leather purses; Leather shoulder belts; Make-up bags sold empty; Men's clutch bags; Messenger bags; Military duffle bags, garment bags for travel, tote bags, shoulder bags and backpacks; Overnight bags; Roll bags; Sack packs, namely, drawstring bags used as backpacks; School bags; Shoulder bags; Suit bags; Toiletry bags sold empty; Tote bags;

Traveling bags; Travelling cases of leather; Trunks and suitcases; Wheeled bags; Wheeled duffle bags; Wheeled messenger bags; Wheeled tote bags

Class 025.

All goods and services in the class are opposed, namely: Athletic apparel, namely, shirts, pants, jackets, footwear, hats and caps, athletic uniforms; Athletic shoes; Belts; Canvas shoes; Gloves for apparel; Headbands for clothing; Jackets; Jerseys; Leather belts; Leather shoes; Leisure shoes


## Grounds for Opposition

Priority and likelihood of confusion	Trademark Act section 2(d)
The mark is merely descriptive	Trademark Act section 2(e)(1)

## Marks Cited by Opposer as Basis for Opposition


U.S. Registration No.	1734665	Application Date	01/16/1990
Registration Date	11/24/1992	Foreign Priority Date	NONE
Word Mark	SWISS ARMY		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 014. First use: First Use: 1987/06/00 First Use In Commerce: 1987/06/00 watches		

U.S. Registration No.	2806013	Application Date	11/17/1994
Registration Date	01/20/2004	Foreign Priority Date	NONE
Word Mark	SWISS ARMY		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 008. First use: First Use: 1958/00/00 First Use In Commerce: 1958/00/00 handtools, namely multifunction pocketknives		

U.S. Registration No.	3561647	Application Date	01/19/2007
Registration Date	01/13/2009	Foreign Priority Date	NONE
Word Mark	SWISS ARMY		
Design Mark			

Description of Mark	NONE
Goods/Services	Class 025. First use: First Use: 2004/12/00 First Use In Commerce: 2004/12/00 men's and women's clothing, namely, jackets, hats, sweaters, shirts, t-shirts, polo shirts, dress shirts, scarves, pants, shorts, coats, parkas, wind resistant jackets, rainwear, gloves, headwear

U.S. Registration No.	2948137	Application Date	03/20/1992
Registration Date	05/10/2005	Foreign Priority Date	NONE
Word Mark	SWISS ARMY		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 003. First use: First Use: 1996/11/00 First Use In Commerce: 1996/11/00 [ Perfumes, ] colognes, skin lotions, deodorant, after shave lotion Class 011. First use: First Use: 2003/09/00 First Use In Commerce: 2003/09/00 flashlights Class 016. First use: First Use: 1996/07/00 First Use In Commerce: 1996/07/00 pens [ and pencils ]		

U.S. Registration No.	3550510	Application Date	09/30/1999
Registration Date	12/23/2008	Foreign Priority Date	NONE
Word Mark	SWISS ARMY		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 042. First use: First Use: 1997/07/00 First Use In Commerce: 1997/07/00 retail stores and online retail stores featuring watches, clocks, hand tools, electronics, luggage, and office products		

U.S. Application/Registration No.	NONE	Application Date	NONE
Registration Date	NONE		
Word Mark	SWISS ARMY PRO		
Goods/Services	watches and knives		

Attachments	77086346#TMSN.jpeg ( 1 page )( bytes )
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	75811995#TMSN.gif ( 1 page )( bytes ) SWISS PRO - Notice of Opposition & Exhibit 1.pdf ( 29 pages )(832791 bytes )
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## Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/H. Straat Tenney/
Name	H. Straat Tenney
Date	01/09/2012

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**  
**BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the Matter of Application Serial No. 85/062,908  
Filed on June 15, 2010  
For the Mark SWISS PRO  
Published in the Official Gazette on July 12, 2011

Victorinox Swiss Army, Inc.,	Opposition No. : _____
Opposer,	Serial No. : 85/062,908
-v-	Published : July 12, 2011
Haim Moussa Kamhine Saad,	Trademark : <b>SWISS PRO</b>
Applicant.	

**NOTICE OF OPPOSITION**

Victorinox Swiss Army, Inc. (“Opposer”), a Delaware corporation, having an address at 7 Victoria Drive, Monroe, Connecticut 06468, believes that it will be damaged by registration of Application Serial No. 85/062,908 for the mark SWISS PRO in International Classes 8, 14, 18, and 25 (the “SWISS PRO Application”), filed by Haim Moussa Kamhine Saad (“Applicant”), published in the Official Gazette on July 12, 2011, and hereby opposes the registration thereof.

As grounds for this Opposition, Opposer relies upon common law and registered rights developed by it in the trademarks SWISS ARMY and SWISS ARMY PRO and alleges on knowledge as to itself and otherwise upon information and belief, as follows:

1. Since at least as early as 1958, and prior to any date upon which Applicant can rely, Opposer has used SWISS ARMY in commerce in the United States, and continues to do so. Opposer has invested a substantial amount of time, effort, and money in promoting SWISS ARMY, which has become a famous mark. Opposer is the exclusive distributor in the United

States of SWISS ARMY goods and services, including the famous SWISS ARMY knife, made by its parent company Victorinox AG. The mark has become distinctive of Opposer's goods and services and represents valuable goodwill and recognition of Opposer.

2. Opposer, through its subsidiary Swiss Army Brand, Ltd., is the owner, *inter alia*, of the following SWISS ARMY registrations:

<u>Trademark</u>	<u>Reg. No.</u>	<u>Goods / Services</u>
1. SWISS ARMY	1,734,665	Watches
2. SWISS ARMY	2,806,013	Multifunction pocketknives
3. SWISS ARMY	3,561,647	Clothing
4. SWISS ARMY	2,948,137	Colognes, flashlights, and pens
5. SWISS ARMY	3,550,510	Retail store services

Opposers registrations are valid, subsisting, and in full force and effect. Copies of the relevant registrations and United States Patent and Trademark Office database print-outs reflecting the current status and title of such registrations are attached as Exhibit 1.

3. Opposer has established common law rights in and to the mark SWISS ARMY PRO by use of the mark in interstate commerce as a secondary mark on watches and knives.

4. On June 15, 2010, Applicant filed an intent to use application under Section 1(b) of the Lanham Act, 15 U.S.C. § 1051(b) to register SWISS PRO covering the following goods ("Applicant's Goods"):

International Class 8: Cutlery; Flatware; Knife bags; Knife sheaths; Knife sheaths of leather; Pen knives of Swiss origin; Tableware;

International Class 14: Watches and clocks of Swiss origin;

International Class 18: Attaché cases made of imitation leather; Attaché cases made of leather; Baby carrying bags; Backpacks, book bags, sports bags, bum

bags, wallets and handbags; Barrel bags; Beach bags; Belt bags; Briefcase-type leather business folders; Carry-all bags; Carry-on bags; Cases of imitation leather; Cosmetic bags sold empty; Diaper bags; Duffel bags; Flight bags; Garment bags for travel; General purpose sport trolley bags; Gym bags; Imitation leather; Key cases of leather or imitation leather; Leather and imitation leather bags; Leather bags and wallets; Leather briefcases; Leather credit card cases; Leather credit card holder; Leather credit card wallets; Leather handbags; Leather purses; Leather shoulder belts; Make-up bags sold empty; Men's clutch bags; Messenger bags; Military duffel bags, garment bags for travel, tote bags, shoulder bags and backpacks; Overnight bags; Roll bags; Sack packs, namely, drawstring bags used as backpacks; School bags; Shoulder bags; Suit bags; Toiletry bags sold empty; Tote bags; Traveling bags; Travelling cases of leather; Trunks and suitcases; Wheeled bags; Wheeled duffel bags; Wheeled messenger bags; Wheeled tote bags; and

International Class 25: Athletic apparel, namely, shirts, pants, jackets, footwear, hats and caps, athletic uniforms; Athletic shoes; Belts; Canvas shoes; Gloves for apparel; Headbands for clothing; Jackets; Jerseys; Leather belts; Leather shoes; Leisure shoes.

#### Count I: Likelihood of Confusion

5. Opposer hereby incorporates by reference the allegations in Paragraphs 1 through 4 hereof as if fully set forth herein.

6. Opposer's rights in the SWISS ARMY and SWISS ARMY PRO marks are prior to and superior to any rights that Applicant may claim in SWISS PRO, in any form or style.

7. Applicant's SWISS PRO mark incorporates the dominant components of Opposer's SWISS ARMY and SWISS ARMY PRO marks, and is thus similar in sound, meaning, appearance, and evocative of the meaning and commercial impression of Opposer's marks, and suggests an association with Opposer.

8. Applicant intends to use its SWISS PRO mark on categories of goods that are identical to and coextensive with those on which Opposer uses its SWISS ARMY and SWISS ARMY PRO marks.

9. Use and registration of the mark SWISS PRO by Applicant in connection with the specified goods is likely to cause confusion, cause mistake or deceive consumers, and cause them to believe that the goods offered by Applicant emanate from, or are sponsored by, endorsed by or otherwise connected with Opposer, in violation of Section 2(d) of the Lanham Act, 15 U.S.C. § 1052(d).

10. Opposer will be damaged by the registration of Applicant's mark by reason of the foregoing, and because such registration will support and assist Applicant in causing confusion and in misleading consumers by providing a color of exclusive statutory rights in Applicant in violation and in derogation of Opposer's prior and superior rights in its SWISS ARMY and SWISS ARMY PRO marks.

#### Count II: Merely Descriptiveness

11. Opposer hereby incorporates by reference the allegations in Paragraphs 1 through 10 hereof as if fully set forth herein.

12. Applicant has submitted a disclaimer of the term "SWISS".

13. The only remaining component of Applicant's alleged mark which is not disclaimed, PRO, is defined as and is frequently used and recognized as a shortened form of the laudatory term "professional", which merely describes an ingredient, quality, characteristic, function, feature, purpose or use of Applicant's Goods.

14. The SWISS PRO Application should be refused registration on the ground that the mark is merely descriptive under Section 2(e)(1) of the Lanham Act, 15 U.S.C. § 1052(e)(1).



WHEREFORE, Opposers believe it will be damaged by the registration of the claimed trademark in Application Serial No. 85/062,908 and requests that this opposition be sustained and that registration to Applicant be refused.

Respectfully submitted,

VICTORINOX SWISS ARMY, INC.

Dated: January 9, 2012

By: /David Weild III/

David Weild III  
H. Straat Tenney

Edwards Wildman Palmer LLP  
750 Lexington Avenue  
New York, NY 10022  
(212) 912-2944  
dweild@edwardswildman.com

Attorneys for Opposer

# **EXHIBIT 1**

Int. Cl.: 14

Prior U.S. Cl.: 27

**United States Patent and Trademark Office**

Reg. No. 1,734,665

Registered Nov. 24, 1992

**TRADEMARK  
PRINCIPAL REGISTER**

**SWISS ARMY**

SWISS ARMY BRANDS, LTD. (DELAWARE  
CORPORATION)  
151 LONG HILL CROSS ROADS  
SHELTON, CT 06484

FIRST USE 6-0-1987; IN COMMERCE  
6-0-1987.

SER. NO. 74-019,220, FILED 1-16-1990.

FOR: WATCHES, IN CLASS 14 (U.S. CL. 27).

RONALD R. SUSSMAN, EXAMINING ATTOR-  
NEY

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2012-01-09 13:12:10 ET

Serial Number: 74019220 Assignment Information      Trademark Document Retrieval

Registration Number: 1734665

Mark (words only): SWISS ARMY

Standard Character claim: No

Current Status: The registration has been renewed.

Date of Status: 2004-09-18

Filing Date: 1990-01-16

Transformed into a National Application: No

Registration Date: 1992-11-24

Register: Principal

Law Office Assigned: LAW OFFICE 10

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 40S -Scanning On Demand

Date In Location: 2008-04-22

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#### LAST APPLICANT(S)/OWNER(S) OF RECORD

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1. SWISS ARMY BRAND LTD.

**Address:**

SWISS ARMY BRAND LTD.  
ONE RESEARCH DRIVE  
SHELTON, CT 06484  
United States

**Legal Entity Type:** Corporation

**State or Country of Incorporation:** Delaware

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#### GOODS AND/OR SERVICES

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**International Class:** 014

**Class Status:** Active

watches

**Basis:** 1(a)

**First Use Date:** 1987-06-00

**First Use in Commerce Date:** 1987-06-00

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**ADDITIONAL INFORMATION**

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(NOT AVAILABLE)

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**MADRID PROTOCOL INFORMATION**

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(NOT AVAILABLE)

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**PROSECUTION HISTORY**

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**NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.**

2008-04-22 - Case File In TIGRS

2007-04-17 - TEAS Change Of Correspondence Received

2007-04-16 - Attorney Revoked And/Or Appointed

2007-04-16 - TEAS Revoke/Appoint Attorney Received

2004-09-18 - Cancellation terminated for Proceeding

2004-09-18 - Cancellation terminated for Proceeding

2004-08-27 - TEAS Change Of Correspondence Received

2004-06-22 - TEAS Change Of Correspondence Received

2004-06-22 - TEAS Change Of Correspondence Received

2004-05-25 - Cancellation terminated for Proceeding

2003-10-01 - Cancellation terminated for Proceeding

2003-10-01 - Cancellation dismissed for Proceeding

2003-01-30 - Section 7 request abandoned

2002-12-06 - First renewal 10 year

2002-12-06 - Section 8 (10-year) accepted/ Section 9 granted

2002-08-29 - Combined Section 8 (10-year)/Section 9 filed

2002-09-12 - TEAS Change Of Correspondence Received

2002-08-29 - PAPER RECEIVED

2001-12-03 - Post Registration action mailed - Section 7

2001-10-09 - Section 7 amendment filed  
1998-11-25 - Section 8 (6-year) accepted  
1998-08-28 - Section 8 (6-year) filed  
1997-01-15 - Cancellation Instituted No. 999999  
1996-07-02 - Cancellation terminated for Proceeding  
1996-07-02 - Cancellation dismissed for Proceeding  
1995-03-03 - Cancellation Instituted No. 999999  
1994-12-02 - Cancellation dismissed for Proceeding  
1993-12-28 - Cancellation Instituted No. 999999  
1992-11-24 - Registered - Principal Register  
1992-07-28 - Opposition terminated for Proceeding  
1992-07-17 - Opposition dismissed for Proceeding  
1992-01-03 - Opposition instituted for Proceeding  
1991-07-16 - Published for opposition  
1991-06-14 - Notice of publication  
1991-02-25 - Approved for Pub - Principal Register (Initial exam)  
1990-11-15 - Communication received from applicant  
1990-05-15 - Non-final action mailed  
1990-04-27 - Assigned To Examiner  
1990-03-26 - Cancellation terminated for Proceeding

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**ATTORNEY/CORRESPONDENT INFORMATION**

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**Attorney of Record**

David Weild, III

**Correspondent**

KAREN P. CLANCY

NIMS, HOWES, COLLISON, HANSEN &amp; LACKERT

605 THIRD AVENUE SUITE 3500

NEW YORK, NY 10158

Phone Number: (212) 308-4411

Fax Number: (212) 308-4844

**Int. Cl.: 8**

**Prior U.S. Cls.: 23, 28 and 44**

**United States Patent and Trademark Office**

**Reg. No. 2,806,013**

**Registered Jan. 20, 2004**

**TRADEMARK  
PRINCIPAL REGISTER**

**SWISS ARMY**

VICTORINOX A.G. (SWITZERLAND CORPORATION)  
CH-6438, IBACH-SCHWYZ, SWITZERLAND AND  
WENGER S.A. (SWITZERLAND CORPORATION)  
CH-2800 DELEMONTE, SWITZERLAND

FOR: HANDTOOLS, NAMELY MULTIFUNCTION POCKETKNIVES, IN CLASS 8 (U.S. CLS. 23, 28 AND 44).

FIRST USE 0-0-1958; IN COMMERCE 0-0-1958.

SEC. 2(F).

SER. NO. 74-600,279, FILED 11-17-1994.

ANDREW BAXLEY, EXAMINING ATTORNEY

**Thank you for your request. Here are the latest results from the TARR web server.**

**This page was generated by the TARR system on 2012-01-09 13:12:53 ET**

**Serial Number:** 74600279 Assignment Information      Trademark Document Retrieval

**Registration Number:** 2806013

**Mark (words only):** SWISS ARMY

**Standard Character claim:** No

**Current Status:** A Sections 8 and 15 combined declaration has been accepted and acknowledged.

**Date of Status:** 2009-04-20

**Filing Date:** 1994-11-17

**Transformed into a National Application:** No

**Registration Date:** 2004-01-20

**Register:** Principal

**Law Office Assigned:** LAW OFFICE 114

**If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov**

**Current Location:** 830 -Post Registration

**Date In Location:** 2009-04-20

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**LAST APPLICANT(S)/OWNER(S) OF RECORD**

---

1. Victorinox A.G.

**Address:**

Victorinox A.G.

CH-6438, Ibach-Schwyz  
Switzerland

**Legal Entity Type:** Corporation

**State or Country of Incorporation:** Switzerland

2. WENGER S.A.

**Address:**

WENGER S.A.

CH-2800 Delemont  
Switzerland

**Legal Entity Type:** Corporation



**State or Country of Incorporation:** Switzerland

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**GOODS AND/OR SERVICES**

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**International Class:** 008

**Class Status:** Active

handtools, namely multifunction pocketknives

**Basis:** 1(a)

**First Use Date:** 1958-00-00

**First Use in Commerce Date:** 1958-00-00

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**ADDITIONAL INFORMATION**

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**Section 2(f)**

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**MADRID PROTOCOL INFORMATION**

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(NOT AVAILABLE)

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**PROSECUTION HISTORY**

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**NOTE:** To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2009-04-20 - Section 8 (6-year) accepted & Section 15 acknowledged

2009-04-10 - Assigned To Paralegal

2009-04-08 - TEAS Section 8 & 15 Received

2007-06-07 - Case File In TIGRS

2007-06-07 - Attorney Revoked And/Or Appointed

2007-06-07 - TEAS Revoke/Appoint Attorney Received

2007-04-17 - TEAS Change Of Correspondence Received

2007-04-16 - Attorney Revoked And/Or Appointed

2007-04-16 - TEAS Revoke/Appoint Attorney Received

2004-08-27 - TEAS Change Of Correspondence Received

2004-06-24 - TEAS Change Of Correspondence Received

2004-01-20 - Registered - Principal Register

2003-10-30 - Opposition terminated for Proceeding

2003-10-30 - Opposition terminated for Proceeding

2003-06-27 - Opposition dismissed for Proceeding  
1996-10-11 - Opposition instituted for Proceeding  
1996-07-02 - Published for opposition  
1996-05-31 - Notice of publication  
1996-04-23 - Approved for Pub - Principal Register (Initial exam)  
1996-04-05 - Examiner's amendment mailed  
1996-03-05 - Communication received from applicant  
1995-09-05 - Non-final action mailed  
1995-08-07 - Communication received from applicant  
1995-04-10 - Non-final action mailed  
1995-04-05 - Assigned To Examiner  
1995-04-05 - Assigned To Examiner

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**ATTORNEY/CORRESPONDENT INFORMATION**

---

**Attorney of Record**

David Weild, III

**Correspondent**

David Weild, III

Edwards Angell Palmer &amp; Dodge LLP

F.D.R. Station; P.O. Box 130

New York NY 10150

Phone Number: 212-308-4411

Fax Number: 212-308-4844

**Domestic Representative**

David Weild III, Esq.

Phone Number: (212) 308-4411

Fax Number: (212) 308-4844

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Int. Cl.: 25

Prior U.S. Cls.: 22 and 39

**United States Patent and Trademark Office**

**Reg. No. 3,561,647**

Registered Jan. 13, 2009

**TRADEMARK  
PRINCIPAL REGISTER**

**SWISS ARMY**

SWISS ARMY BRAND LTD. (DELAWARE CORPORATION)  
7 VICTORIA DRIVE  
MONROE, CT 064681212

FIRST USE 12-0-2004; IN COMMERCE 12-0-2004.

FOR: MEN'S AND WOMEN'S CLOTHING, NAMELY, JACKETS, HATS, SWEATERS, SHIRTS, T-SHIRTS, POLO SHIRTS, DRESS SHIRTS, SCARVES, PANTS, SHORTS, COATS, PARKAS, WIND RESISTANT JACKETS, RAINWEAR, GLOVES, HEADWEAR, IN CLASS 25 (U.S. CLS. 22 AND 39).

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

SN 77-086,346, FILED 1-19-2007.

KEVON CHISOLM, EXAMINING ATTORNEY

**Thank you for your request. Here are the latest results from the TARR web server.**

**This page was generated by the TARR system on 2012-01-09 13:14:41 ET**

**Serial Number:** 77086346 Assignment Information      Trademark Document Retrieval

**Registration Number:** 3561647

**Mark**

**SWISS ARMY**

**(words only):** SWISS ARMY

**Standard Character claim:** Yes

**Current Status:** Registered. The registration date is used to determine when post-registration maintenance documents are due.

**Date of Status:** 2009-01-13

**Filing Date:** 2007-01-19

**Transformed into a National Application:** No

**Registration Date:** 2009-01-13

**Register:** Principal

**Law Office Assigned:** LAW OFFICE 103

**If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov**

**Current Location:** 650 -Publication And Issue Section

**Date In Location:** 2008-12-05

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**LAST APPLICANT(S)/OWNER(S) OF RECORD**

---

1. Swiss Army Brand Ltd.

**Address:**

Swiss Army Brand Ltd.  
7 Victoria Drive  
Monroe, CT 064681212  
United States

**Legal Entity Type:** Corporation**State or Country of Incorporation:** Delaware

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**GOODS AND/OR SERVICES**

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**International Class:** 025**Class Status:** Active

men's and women's clothing, namely, jackets, hats, sweaters, shirts, t-shirts, polo shirts, dress shirts, scarves, pants, shorts, coats, parkas, wind resistant jackets, rainwear, gloves, headwear

**Basis:** 1(a)**First Use Date:** 2004-12-00**First Use in Commerce Date:** 2004-12-00

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**ADDITIONAL INFORMATION**

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(NOT AVAILABLE)

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**MADRID PROTOCOL INFORMATION**

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(NOT AVAILABLE)

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**PROSECUTION HISTORY**

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**NOTE:** To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2009-01-13 - Registered - Principal Register

2008-12-05 - Law Office Registration Review Completed

2008-12-04 - Allowed for Registration - Principal Register (SOU accepted)

2008-12-02 - Statement Of Use Processing Complete

2008-11-25 - Use Amendment Filed

2008-12-02 - Case Assigned To Intent To Use Paralegal

2008-11-25 - TEAS Statement of Use Received

2008-06-03 - NOA Mailed - SOU Required From Applicant

2008-04-18 - Extension Of Time To Oppose Process - Terminated

2007-12-06 - Extension Of Time To Oppose Received

2007-12-04 - Published for opposition

2007-11-14 - Notice of publication

2007-10-30 - Law Office Publication Review Completed

2007-10-11 - Approved For Pub - Principal Register  
2007-10-11 - Teas/Email Correspondence Entered  
2007-10-11 - Communication received from applicant  
2007-10-11 - TEAS Response to Office Action Received  
2007-04-17 - TEAS Change Of Correspondence Received  
2007-04-16 - Attorney Revoked And/Or Appointed  
2007-04-16 - TEAS Revoke/Appoint Attorney Received  
2007-04-13 - Letter of suspension mailed  
2007-04-13 - Suspension Letter Written  
2007-04-13 - Assigned To Examiner  
2007-02-05 - Applicant amendment prior to exam entered  
2007-03-11 - Assigned To LIE  
2007-02-05 - TEAS Voluntary Amendment Received  
2007-01-23 - New Application Entered In Tram

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**ATTORNEY/CORRESPONDENT INFORMATION**

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**Attorney of Record**

David Weild, III

**Correspondent**

David Weild, III

Edwards Angell Palmer &amp; Dodge LLP

F.D.R. Station; P.O. Box 130

New York NY 10150

Phone Number: (212) 308-4411

Fax Number: (212) 308-4844

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**Int. Cls.: 3, 11, and 16**

**Prior U.S. Cls.: 1, 2, 4, 5, 6, 13, 21, 22, 23, 29, 31, 34,  
37, 38, 50, 51, and 52**

**Reg. No. 2,948,137**

**United States Patent and Trademark Office**      **Registered May 10, 2005**

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**TRADEMARK  
PRINCIPAL REGISTER**

**SWISS ARMY**

SWISS ARMY BRAND LTD. (DELAWARE COR-  
PORATION)  
ONE RESEARCH DRIVE  
SHELTON, CT 06484

FOR: PERFUMES, COLOGNES, SKIN LOTIONS,  
DEODORANT, AFTER SHAVE LOTION, IN CLASS 3  
(U.S. CLS. 1, 4, 6, 50, 51 AND 52).

FIRST USE 11-0-1996; IN COMMERCE 11-0-1996.

FOR: FLASHLIGHTS, IN CLASS 11 (U.S. CLS. 13,  
21, 23, 31 AND 34).

FIRST USE 9-0-2003; IN COMMERCE 9-0-2003.

FOR: PENS AND PENCILS, IN CLASS 16 (U.S. CLS.  
2, 5, 22, 23, 29, 37, 38 AND 50).

FIRST USE 7-0-1996; IN COMMERCE 7-0-1996.

OWNER OF U.S. REG. NOS. 1,715,093 AND  
1,734,665.

SN 74-257,614, FILED 3-20-1992.

M. L. HERSHKOWITZ, EXAMINING ATTORNEY

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2012-01-09 13:18:11 ET

Serial Number: 74257614 Assignment Information      Trademark Document Retrieval

Registration Number: 2948137

Mark (words only): SWISS ARMY

Standard Character claim: No

Current Status: A Sections 8 and 15 combined declaration has been accepted and acknowledged.

Date of Status: 2011-06-01

Filing Date: 1992-03-20

Transformed into a National Application: No

Registration Date: 2005-05-10

Register: Principal

Law Office Assigned: LAW OFFICE 116

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: M70 -TMO Law Office 116

Date In Location: 2011-06-01

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**LAST APPLICANT(S)/OWNER(S) OF RECORD**

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1. SWISS ARMY BRAND LTD.

**Address:**

SWISS ARMY BRAND LTD.  
ONE RESEARCH DRIVE  
SHELTON, CT 06484  
United States

**Legal Entity Type:** Corporation

**State or Country of Incorporation:** Delaware

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**GOODS AND/OR SERVICES**

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**International Class:** 003

**Class Status:** Active

colognes, skin lotions, deodorant, after shave lotion

**Basis:** 1(a)

**First Use Date:** 1996-11-00

**First Use in Commerce Date:** 1996-11-00



**International Class:** 011**Class Status:** Active

flashlights

**Basis:** 1(a)**First Use Date:** 2003-09-00**First Use in Commerce Date:** 2003-09-00**International Class:** 016**Class Status:** Active

pens

**Basis:** 1(a)**First Use Date:** 1996-07-00**First Use in Commerce Date:** 1996-07-00

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**ADDITIONAL INFORMATION**

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**Prior Registration Number(s):**

1715093

1734665

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**MADRID PROTOCOL INFORMATION**

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(NOT AVAILABLE)

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**PROSECUTION HISTORY**

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**NOTE:** To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2011-06-01 - Section 8 (6-year) accepted &amp; Section 15 acknowledged

2011-05-31 - Case Assigned To Post Registration Paralegal

2011-05-04 - TEAS Section 8 &amp; 15 Received

2009-10-26 - Notice Of Suit

2007-04-17 - TEAS Change Of Correspondence Received

2007-04-16 - Attorney Revoked And/Or Appointed

2007-04-16 - TEAS Revoke/Appoint Attorney Received

2005-05-10 - Registered - Principal Register

2005-01-25 - Law Office Registration Review Completed

2005-01-18 - Assigned To LIE

2004-12-23 - Allowed for Registration - Principal Register (SOU accepted)

**Latest Status Info**

2004-12-17 - Statement Of Use Processing Complete

2004-12-06 - Use Amendment Filed

2004-12-06 - PAPER RECEIVED

2004-08-27 - TEAS Change Of Correspondence Received

2004-08-20 - Case File In TICSRS

2004-06-08 - NOA Mailed - SOU Required From Applicant

2004-03-19 - Opposition terminated for Proceeding

2004-03-19 - Opposition terminated for Proceeding

2004-02-19 - TEAS Change Of Correspondence Received

2003-10-03 - Opposition terminated for Proceeding

2003-10-03 - Opposition dismissed for Proceeding

1994-11-23 - Opposition instituted for Proceeding

1993-11-02 - Published for opposition

1993-10-01 - Notice of publication

1993-04-15 - Approved For Pub - Principal Register

1993-03-05 - Communication received from applicant

1992-10-21 - Non-final action mailed

1992-08-24 - Communication received from applicant

1992-06-22 - Non-final action mailed

1992-06-02 - Assigned To Examiner

1992-05-21 - Assigned To Examiner

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**ATTORNEY/CORRESPONDENT INFORMATION**

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**Attorney of Record**

David Weild, III

**Correspondent**

JACQUELINE M. LESSER  
PENNIE & EDMONDS LLP  
1155 AVENUE OF THE AMERICAS  
NEW YORK, NY 10036  
Phone Number: (212) 308-4411  
Fax Number: (212) 308-4844



**Int. Cl.: 42**

**Prior U.S. Cls.: 100 and 101**

**United States Patent and Trademark Office**

**Reg. No. 3,550,510**

**Registered Dec. 23, 2008**

**SERVICE MARK  
PRINCIPAL REGISTER**

**SWISS ARMY**

SWISS ARMY BRAND LTD (DELAWARE COR-  
PORATION)  
ONE RESEARCH DRIVE  
SHELTON, CT 06484

FIRST USE 7-0-1997; IN COMMERCE 7-0-1997.

OWNER OF U.S. REG. NOS. 1,715,093 AND  
1,734,665.

FOR: RETAIL STORES AND ONLINE RETAIL  
STORES FEATURING WATCHES, CLOCKS, HAND  
TOOLS, ELECTRONICS, LUGGAGE, AND OFFICE  
PRODUCTS, IN CLASS 42 (U.S. CLS. 100 AND 101).

SN 75-811,995, FILED 9-30-1999.

INGRID C. EULIN, EXAMINING ATTORNEY

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2012-01-09 13:19:54 ET

Serial Number: 75811995 Assignment Information      Trademark Document Retrieval

Registration Number: 3550510

Mark (words only): SWISS ARMY

Standard Character claim: No

Current Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Date of Status: 2008-12-23

Filing Date: 1999-09-30

Transformed into a National Application: No

Registration Date: 2008-12-23

Register: Principal

Law Office Assigned: LAW OFFICE 111

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 650 -Publication And Issue Section

Date In Location: 2008-11-19

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#### LAST APPLICANT(S)/OWNER(S) OF RECORD

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1. SWISS ARMY BRAND LTD

**Address:**

SWISS ARMY BRAND LTD

One Research Drive

Shelton, CT 06484

United States

**Legal Entity Type:** Corporation

**State or Country of Incorporation:** Delaware

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#### GOODS AND/OR SERVICES

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**International Class:** 042

**Class Status:** Active

retail stores and online retail stores featuring watches, clocks, hand tools, electronics, luggage, and office products

**Basis:** 1(a)

**First Use Date:** 1997-07-00

**First Use in Commerce Date:** 1997-07-00

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**ADDITIONAL INFORMATION**

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**Prior Registration Number(s):**

1715093

1734665

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**MADRID PROTOCOL INFORMATION**

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(NOT AVAILABLE)

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**PROSECUTION HISTORY**

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**NOTE:** To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2008-12-23 - Registered - Principal Register

2008-11-19 - Law Office Registration Review Completed

2008-11-16 - Allowed for Registration - Principal Register (SOU accepted)

2008-10-25 - Statement Of Use Processing Complete

2008-10-22 - Use Amendment Filed

2008-10-25 - Case Assigned To Intent To Use Paralegal

2008-10-22 - TEAS Statement of Use Received

2008-04-29 - NOA Mailed - SOU Required From Applicant

2008-03-17 - Extension Of Time To Oppose Process - Terminated

2007-10-03 - Extension Of Time To Oppose Received

2007-09-04 - Published for opposition

2007-08-15 - Notice of publication

2007-07-27 - Law Office Publication Review Completed

2007-07-26 - Approved For Pub - Principal Register

2007-07-26 - Examiner's Amendment Entered

2007-07-25 - Notification Of Examiners Amendment E-Mailed

2007-07-25 - EXAMINERS AMENDMENT E-MAILED

2007-07-25 - Examiners Amendment - Written

2007-07-19 - Previous Allowance Count Withdrawn

2007-07-02 - Withdrawn From Pub - Og Review Query

2007-06-21 - Law Office Publication Review Completed

2007-06-20 - Approved For Pub - Principal Register

2007-05-30 - Teas/Email Correspondence Entered

2007-05-30 - Communication received from applicant

2007-05-30 - Assigned To LIE

2007-05-14 - TEAS Response to Office Action Received

2007-04-17 - TEAS Change Of Correspondence Received

2007-04-16 - Attorney Revoked And/Or Appointed

2007-04-16 - TEAS Revoke/Appoint Attorney Received

2006-11-15 - Non-final action mailed

2006-11-15 - Non-Final Action Written

2006-10-24 - LIE Checked Susp - To Atty For Action

2006-04-11 - Report Completed Suspension Check Case Still Suspended

2005-09-20 - Report Completed Suspension Check Case Still Suspended

2005-09-20 - Report Completed Suspension Check Case Still Suspended

2005-02-22 - Report Completed Suspension Check Case Still Suspended

2004-08-27 - TEAS Change Of Correspondence Received

2004-08-16 - Report Completed Suspension Check Case Still Suspended

2004-08-16 - Report Completed Suspension Check Case Still Suspended

2004-02-19 - TEAS Change Of Correspondence Received

2004-01-23 - Case File In TIGRS

2000-12-06 - Letter of suspension mailed

2000-09-21 - Communication received from applicant

2000-03-22 - Non-final action mailed

2000-02-09 - Assigned To Examiner

2000-02-03 - Assigned To Examiner

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**ATTORNEY/CORRESPONDENT INFORMATION**

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**Attorney of Record**

David Weild, III

**Correspondent**

David Weild, III

Edwards Angell Palmer & Dodge LLP

F.D.R. Station; P.O. Box 130

New York NY 10150

Phone Number: (212) 308-4411

Fax Number: (212) 308-4844

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CERTIFICATE OF SERVICE

I hereby certify that I am over the age of 18 years, not a party to this action, and that on the 9th day of January, 2012, I caused to be served a true and correct copy of the foregoing NOTICE OF OPPOSITION by first-class mail and electronic mail to the following attorney for the Applicant:

Meyer Y. Silber  
The Silber Law Firm, LLC  
233 Broadway, Room 900  
New York, NY 10279-0999

mysilber@thesilberlawfirm.com

I further certify under penalty of perjury that the foregoing is true and correct.

Dated: New York, NY  
January 9, 2012

By:           /H. Straat Tenney/            
H. Straat Tenney